

BUILDING PERMIT - HOUSE INSTRUCTIONS

1. Application for Structure Building Permit
2. Application for Line Work/Housemoving
3. Letter Requesting Waiver of Utility Connection Fees
4. Request for Utility Service Connections
5. Excess Flow Valves
6. Certificate of Occupancy
7. Zoning Code-Section 3: Single Family Dwelling District
8. Zoning Code-Section 5: Mobile Home/Manufactured Home District
9. Zoning Code-Section 10: Additional Height and Area Regulations
10. Resolution No. 279: Establishes Fees for Permits and Licenses

The Application for Structure Building Permit needs to be returned to City Hall with payment of the established fee, preferably 1 week before Planning Commission meeting on the 2nd Wednesday of each month, as the City Clerk needs to get Building Inspector and City Superintendent signatures of approval before the meeting. House plans, specs and 3rd party stamped inspection should be attached to the Application.

Application for Line Work/Housemoving is required as utility lines usually need to be raised by our utility crew. There is a nonrefundable fee of \$10.00 plus deposit of \$300.00. Refund will be made to applicant should charges not total amount of deposit.

Letter requesting waiver of utility connection fees needs to be approved by the Council which meets the 1st and 3rd Mondays of each month. Form attached can be used.

Request for Utility Service Connections should be returned to City Hall 2 weeks before service is required to allow the Superintendent to schedule his workers.

Certificate of Occupancy must be signed by Building Inspector before utility services can be connected on new construction. Please call City Hall (654-2414) for final inspection.

Zoning Codes have been enclosed for your convenience in determining setbacks and distances for house location.

Applicant is requested to attend the Planning Commission meeting as the Application does not become a Permit until the Planning Commission has reviewed all paperwork, signed the application and returned to City Hall for issuance of the Permit. Should they have questions, it will expedite the process for the applicant to be available. Governing Body does not need to approve the Permit. **Work cannot begin until signed Permit is received by Applicant usually within 2 days of the Planning Commission meeting.**

CITY OF BURLINGAME

APPLICATION FOR STRUCTURE BUILDING PERMIT

RETURN COMPLETED FORM TO CITY HALL
1 WEEK BEFORE 2nd WEDNESDAY OF THE MONTH.
(When approved by applicable officials, permit issued by City Clerk)

Application Date: _____ **Telephone Number:** _____

Property Owner: _____

Street Address & Legal Description:_____

Name of Contractor: _____ **Contr.'s City License No.:** _____

ZONING DISTRICT: ☐ Single Family ☐ Multiple Family ☐ Mobile/Manufactured
☐ Commercial ☐ Industrial

TYPE OF WORK TO BE DONE: ☐ New Structure ☐ Structure Remodeling
☐ New Fence ☐ New Sign ☐ New Retaining Wall ☐ Structure Relocation

TYPE OF STRUCTURE: ☐ House ☐ Garage ☐ Utility Shed ☐ Patio/Deck

[] Other_____

DETAIL INFORMATION: No. of Stories _____ No. of Rooms _____ No. of Baths. _____

Heating_____ Cooling_____ Exterior Finish_____ Basement_____

Project start/finish date: _____/_____/_____ Project Estimated Cost: _____

APPROVED BY:

Planning Commission Chairman: _____ Date: _____

Building Inspector: _____ Date: _____

City Superintendent: _____ Date: _____

Fire Chief (when required): _____ Date: _____

PERMIT NO. _____

The above application has been approved by the appropriate official and receipt of the fee in the amount of \$_____ is acknowledged.

Date _____

City Clerk

(8/1/03) City Code 1997, Section 4-210/4-214; Res.No.279
BEFORE DIGGING - CALL 1-800-DIG-SAFF (344-7233)



FOR APPLICATION TO BE CONSIDERED, SHOW THE FOLLOWING INFORMATION IN THE SITE PLAN ABOVE:

1. Northerly Direction and Comer Lot
2. Name of Streets or Avenues and alleyway
3. Length of lot
4. Distance in feet from buildings to the lot line
5. Distance in feet between ALL buildings
6. Dimensions of all structures

Notify City Hall (654-2414) when inspections are needed for layout of building, foundations and footings, electrical wiring, gas connections, water connections and/or sewer connections.

Applicant Signature

APPLICATION FOR LINE WORK/HOUSEMOVING

Return Completed application to City Hall at least 7 days before scheduled move

DATE:

HOUSEMOVER: _____ PHONE: _____

ADDRESS: _____

PROPERTY OWNER: _____ PHONE: _____

ADDRESS: _____

ADDRESS STRUCTURE MOVED FROM: _____

ADDRESS STRUCTURE MOVED TO: _____

PLEASE SUBMIT:

1. Detailed map of the proposed route on back of application.
2. Schedule (day and time) for moving. _____
3. Dimensions of structure. _____
4. Height, when loaded. _____

Nonrefundable fee of \$10.00 and deposit in the amount of \$300.00 must accompany this application. Rate will be figured at \$100.00 per hour (1 hour minimum) and \$75.00 per hour thereafter. Additional deposit may be required if determined by the City of Burlingame a contractor needs to be hired. **Refund will be made to applicant should charges not total amount of deposit.**

The Applicant/Housemover shall give the City not less than 24 hours advanced notice of actual operation; provided, that should the moving operation be delayed, the Applicant/Housemover shall give the City not less than 24 hours advance notice of the rescheduled operation

Applicant Signature

Mayor and Council
c/o City Clerk
City of Burlingame
101 East Santa Fe Avenue
Burlingame, Kansas 66413

This letter is to request your consideration in waiving the utility connection fees for a
New house to be constructed on (legal description):

Sincerely,

Signature of Homeowner

Date: _____

Approved by Council and Signed by Mayor on _____ of _____, 20____.

Raymond L. Hovestadt

REQUEST FOR UTILITY SERVICE CONNECTIONS

Please return completed information to City Hall **2 weeks prior** to date requested so
City Superintendent can schedule the work

Date _____

Telephone _____

Property Owner _____

Street Address _____

Date Connection Required

Electrical _____ Water _____ Gas _____

Sewer (if required) _____

Zoning District ☐ Single Family ☐ Multiple Family ☐ Mobile/Manufactured
 ☐ Commercial ☐ Industrial

Utility services cannot be connected until the Certificate of Occupancy has been completed by the Building Inspector.

NOTICE: EXCESS FLOW VALVES

Effective February 3, 1999

This notification is being given to the City of Burlingame natural gas customers because of a recent ruling by the Department of Transportation. The DOT ruling requires that operators of natural gas systems inform certain customers concerning the availability of Excess Flow Valves (EFV's). Customers to be notified are those with newly installed or replaced service line, that operates at a pressure of at least 10 psig, and wich serves a single residence.

An EFV is designed to shut off the flow of natural gas automatically if the service line breaks. The service line is the line from the gas meter to the main connection. Natural gas lines may break because of third party damage, earthquakes, grounf subsidence, vandalism, or other sources. EFV's will not protect againt slow leaks due to corrosion or leakage beyond the meter or inside the house. We neither recommend nor discourage use of excess flow valves by customers served by our system.

Installation of EFV's is not required, but the gas department will have EFV's available that meets DOT performance standards if the customer is willing to pay the cost of installation. The EFV device is installed on the residential service line next tot the gas main. There could be maintenance involved with this device and replacement cost is at the customer's expense.

If you request the installation of an EFV, the installation cost will be \$200.00 payable when you sign up ofr service. Also, there will be a cost associated for maintenance and replacing the EFV as required. Estimated cost for replaceent will be approximately \$700.00. Any maintenance required at a later time will be done at the price in effect for installation at the time the EFV is replaced, plus any additional labor required returning the line to service. These charges must be paid at the time the maintenance or replacement is done.

Name of homeowner or contractor: _____

Address of new or replaced valve: _____

Please install EFV on my gas service _____ Date _____

Customer signature

I decline the installation of an EFV _____ Date _____

Customer signature

Certificate of Occupancy

Property Owner: _____

Street Address & Legal Description _____

Telephone Number _____

Type of Construction _____

Final Inspection Date _____

Comments _____

Building Inspector

Notify City Hall (654-2414) for a final inspection which must be completed by Building Inspector before utility services can be connected on new construction. If the project is remodeling, utility service could be disconnected if final inspection is not completed.

SECTION 3

"R" SINGLE FAMILY DWELLING DISTRICT

The regulations set forth in this section or set forth elsewhere in this Ordinance when referred to in this section, are the District Regulations in the "R" Single Family Dwelling District.

1. Use Regulation: Any building or premises shall be used only for the following purposes:
 - (a) Single family dwellings.
 - (b) Parks, playgrounds, and community buildings owned or operated by a public agency.
 - (c) Public schools, elementary and high, or private schools having a curriculum equivalent to a public elementary school or public high school and having no rooms regularly used for housing or sleeping purposes.
 - (d) Churches, but any church that is on a new site shall provide off-street parking space upon the lot or within two hundred (200) feet thereof which space is adequate to accommodate one (1) car for every ten (10) persons for which seating is provided in the main auditorium of the church exclusive of the seating capacity of Sunday School and other special rooms.
 - (e) Accessory buildings and accessory uses, customarily incident to the above uses (not involving the conduct of a business) including a private garage, the use of a lot or portion thereof for a vegetable or flower garden, but not on a commercial basis for resale or wholesale. Any storage or accessory building larger than one hundred twenty (120) square feet must be compatible with main structure and neighborhood in design, construction material, and size. An accessory building that is not a part of the main structure shall be located not less than twenty five (25) feet from the front lot line or not less than ten (10) feet from the front of the main structure when an existing structure has a fifteen (15) foot setback. Accessory uses shall also include church or public building, bulletin boards and temporary signs pertaining to the lease, hire or sale of a building or premises not exceeding ten (10) square feet in area.
 - (f) Moved-in buildings, provided, however, that said buildings shall conform to all the provisions of this ordinance together with fire, safety and health regulations and all other pertinent ordinances of the

City of Burlingame, Kansas, and the laws of the State of Kansas, and said moved-in buildings shall conform with the neighboring property to the extent that said buildings shall not devalue surrounding property. The determination as to whether or not said moved in buildings devalue surrounding property shall be determined by the Board of Zoning Appeals.

- (g) Such other use as the Governing Body of the City of Burlingame may in its discretion authorize either by a special temporary permit not exceeding one year; or a special permit for a specific purpose after conducting a public hearing thereon with due notice, thereof by publication in the official city paper at least one week prior thereto.
2. Height Regulation: No building shall exceed two (2) stories above ground level nor shall it exceed thirty-five (35) feet in height from ground level to its highest point.
3. Area Regulation:
- (a) There shall be a front yard having a depth of not less than fifteen (15) feet. Where lots have a double frontage the required front yard shall be provided on both streets. Where a lot is located at the intersection of two or more streets there shall be a front yard on each street side of a corner lot; provided, however, that the buildable width of a lot of record at the time of passage of this Ordinance need not be reduced to less than thirty-five (35) feet; except where necessary to provide a yard along the side street with a depth of not less than five (5) feet. No accessory building shall project beyond the front yard line on either street.
 - (b) There shall be a side yard on each side of a building having a width of not less than eight (8) feet; except as may be otherwise provided herein wherever a lot of record existing at the time of the passage of the Ordinance has a width of fifty (50) feet or less, the side yard on each side of a building may be reduced to a width of not less than 10% of the width of the lot, but in no instance shall it be less than three (3) feet.
 - (c) Except as herein otherwise provided there shall be a rear yard having a depth of not less than thirty (30) feet; provided further, however, that in those situations in which a corner lot, as platted, is

included in the tract of land on which the single family dwelling or other permissible building is to be located, there shall be a rear yard of not less than six (6) feet in depth.

- (d) Every lot or tract of land shall have an area of not less than seventy-five hundred (7500) square feet.

4. Parking Space Regulations:

- (a) Every lot or tract of land which is the site of a dwelling unit shall have an off-street parking space of two hundred (200) square feet.
- (b) Every church, school building, or other auditorium shall have one parking space for every ten (10) seats, which parking space shall be within one thousand (1,000) feet of said building.

SECTION 5

"M" MOBILE HOME/MANUFACTURED HOME DISTRICT

The regulations set forth in this section or set forth elsewhere in this Ordinance when referred to in this section, are Mobile/Manufactured Home Regulations in the City of Burlingame, Kansas.

1. GENERAL REQUIREMENTS:

- (a) No mobile home or manufactured home constructed prior to 1976 or not constructed in compliance with the National Manufactured Home Construction and Safety Standards (24 CFR 3280 et. seq.) shall be placed or located within, the corporate limits of the City.
- (b) A manufactured home meeting the building and construction requirements and standards of the National Manufactured Home Construction and Safety Standards (24 CFR 3280 et. seq.) as may be amended, shall be placed or located within a mobile home or manufactured home park subject only to paragraph (c) hereinafter. Any mobile home or manufactured home not on a permanent foundation must meet the following requirements:
 - (1) Stands and skirts: Each mobile or manufactured home shall be equipped with skirts on all sides, such skirts to be of material harmonious to the mobile or manufactured home structure.
 - (2) Tie downs, roof protectors, piers, and anchors: Any mobile or manufactured home placed within the City shall be secured to the ground by tie downs and ground anchors in compliance with Kansas Statutes, rules and regulations, and specifically K.S.A. 75-1226, et. seq. as may be amended, unless such mobile or manufactured home is placed on a permanent foundation.
 - (3) All skirting for any mobile or manufactured home and all tie downs, piers or anchors as required herein shall be installed within 30 days of the placement or location of the mobile home or manufactured home on a site.
- (c) A manufactured home may be located other than within a mobile home or manufactured home park if it is placed upon a permanent foundation and meets the following requirements:
 - (1) Minimum dimensions of 22 feet in width not including any roof overhang or porches or decks.
 - (2) A double-pitched roof with a minimum vertical rise of 2.2 feet for

- each 12 feet of horizontal run and is covered with material that is of normal residential use and all roof structures shall provide an eave projection of no less than six (6) inches which may include a gutter.
- (3) Siding which customarily is used on site-built homes such as clapboards, simulated clapboards such as conventional vinyl or metal siding, wood or plastic panels and it is otherwise of an aesthetic and architectural appearance and standard compatible with site-built "homes in the same area.
- (4) Any hitch, axles or wheels must be removed

2. Mobile and/or Manufactured Home Parks:

- (a) Minimum Park Size: No mobile or manufactured home park shall have a site smaller than will accommodate four (4) mobile or manufactured homes.
- (b) Minimum Space Size: Each mobile or manufactured home space within a mobile or manufactured home park shall have dimensions of at least forty-five (45) feet in width and ninety (90) feet in depth. The maximum density for mobile or manufactured home parks shall be eight (8) mobile or manufactured homes per acre.
- (c) Streets and Drives: All streets and walks within a mobile or manufactured home park shall be improved to city standards for residential streets with a minimum of forty (40) feet in width and provided with night lighting using lamps spaced at intervals of not more than one hundred (100) feet. All private drives shall be surfaced with at least six inches of compacted stone and shall be not less than ten (10) feet wide.
- (d) Parking: Two parking spaces for each mobile or manufactured home within a mobile or manufactured home park shall be provided within sixty (60) feet of the mobile or manufactured home. Such parking spaces shall be off the public street or private drive, and each shall not be less, than nine feet by twenty feet (9 ft X 20 ft) in size, and shall be surfaced to at least the standard set out above for drives.
- (e) Open Space: Each mobile or manufactured home shall be located on the mobile or manufactured home space so that no part of one mobile, or manufactured home structure, including canopies, awnings, carports and other protrusions, is closer than seven (7) feet to another mobile or manufactured home space, or to the

edge of the surface of a drive. No mobile or manufactured home shall be located closer than fifteen (15) feet to the boundary line of the home park.

- (f) Utilities Fire Protection: All liquid waste shall be disposed of through a sanitary sewer system and treatment facility, the plans of which shall be approved by the Building Inspector or designated enforcement officer prior to construction. All such sewer systems and treatment facilities shall be subject to approval by the Kansas State Board of Health. All solid waste shall be disposed of by accumulation in tight containers, and removed at regular intervals by methods to be approved by the Building Inspector or designated enforcement officer. All power and telephone lines shall be underground and shall be in compliance with standards of the utility corporation involved. All water supply and distribution, shall be approved by the designated enforcement officer prior to construction and include fire protection facilities. The site of the park shall be graded so that surface water will not accumulate, but will run off in a manner that will not adversely affect the residential character of the park or adjacent property. The proposed drainage system shall be approved by the designated enforcement officer prior to construction of streets or other portions of the park.
- (g) Plan Approval: Construction of a mobile or manufactured home park within the City of Burlingame shall begin only after a Special Use Permit has been granted by the City Council, in compliance with the zoning ordinance. No such permit shall be granted, however, until a development plan for the proposed mobile or manufactured home park has been prepared and submitted by the developer to the Planning Commission, and found satisfactory by said Commission, and further submitted to the City Council with a recommendation for approval. Such plan shall be accurately drawn, at a scale acceptable to the designated enforcement officer, and shall show the following:
 - (1) Proposed street and drive pattern.
 - (2) Proposed mobile or manufactured home spaces and their approximate dimensions and, number.
 - (3) Any existing streets in or abutting the property.
 - (4) Location and size of parking spaces.
 - (5) Legal description of the tract.
 - (6) Name of the developer and property owner.
 - (7) North Point, scale and date.

The Planning Commission shall, upon, submission of three copies of the plan and an application for a Special Use Permit, publish notice and hold a hearing on the proposal, in conformance with the zoning ordinance. The decision of the commission to recommend approval or denial of the proposed mobile or manufactured home park shall be based upon the following criteria:

- (1) The proposed property will be in harmony, in general, with the Comprehensive Plan of the City.
- (2) Safe and efficient ingress and egress of vehicular and pedestrian traffic and an adequate level of utility and other services is assured.
- (3) A safe and healthful living environment will exist for the occupants of the park.

Upon hearing and consideration of the project, the Commission shall, within reasonable time, submit its recommendation and an endorsed copy of the plans to the City Council for final action. After twelve (12) months from the date of approval of a Special Use Permit by the City Council, if the mobile or manufactured home park is not improved in accordance with the plans to the extent that all proposed utilities, surfaced drives are completed and occupied mobile or manufactured home spaces exist over at least twenty percent (20%) of the area of the approved park, the special Use Permit shall expire and further development and additional occupancy of the park shall be prohibited. All mobile or manufactured homes shall be removed within six (6) months of the date of expiration of a Special Use Permit. The owner or his agent may apply for a new Special Use Permit in the case of expiration or cancellation under procedures set out in the Zoning Ordinance.

- (h) Establishment Fee: An establishment fee of \$ 100.00 shall be paid by the owner of the proposed mobile or manufactured home park. Upon change of ownership new owner shall pay establishment fee of \$100.00.
- (i) Violation: The owner and/or operator of the mobile or manufactured home park shall be responsible for the conformance to all plans, codes and ordinances and any conditions set out in the Special Use Permit, and any deviation or non-performance or the occurrence of any nuisance or unhealthful or unsanitary condition, or the termination of a park operation for one year or more shall constitute grounds for the cancellation of a license or Special Use Permit, or refusal to renew a license on the part of the City Council. In

addition, the City shall have all remedial and corrective powers conveyed by the statutes of the State of Kansas.

- (j) Management: Each mobile or manufactured home park shall be operated in a sanitary, orderly and efficient manner, and shall maintain a neat appearance at all times. No damaged or deteriorated mobile or manufactured homes shall be permitted to remain, and suitable and effective rules for regulating the outside storage of equipment, the removal of wheels and installation of skirting, the collection of trash and garbage, and the attachment of appurtenances to the mobile or manufactured homes shall be established and continually enforced. All drives, playground area and equipment, lawn and trees, and any recreation or accessory buildings shall be maintained at a level at least equal to the average residential neighborhood in the City. All portions of the mobile or manufactured home park shall be open and accessible to fire, police and other emergency and protective vehicles and personnel, including City, County and State Inspectors.

3. Permits for Placement of Mobile or Manufactured Homes:

Any person desiring to have a mobile or manufactured home placed within the corporate limits of the City of Burlingame, Kansas, must prior to such placement obtain a permit from the City. A permit application must be submitted to the City Clerk of the City of Burlingame, Kansas. Said application shall be in the form approved by the City Clerk and shall contain the following information:

- (a) Legal description of the property upon which the mobile or manufactured home will be placed.
- (b) A list of all those persons who are owners of record of said real estate.
- (c) A statement describing the utilities that will be required to be placed on said property and a statement as to the accessibility as to sanitary sewer service.
- (d) Whether or not the mobile or manufactured home will be placed on a permanent foundation.
- (e) Dimensions of the mobile or manufactured home space to be used for the mobile or manufactured home.

In addition to the information contained in the application there shall be attached to the application the following:

- (a) A drawing showing the manner in which the mobile or manufactured home will be placed on the property with distances from property lines and location of various utility hookups.
- (b) A color photograph of the mobile or manufactured home.
- (c) Proof of ownership by those persons named in the, application as being owners of record of the mobile or manufactured home.
- (d) Date of manufacture of the manufactured or mobile home and a statement or certificate that it meets the standards of the National Manufactured Home Construction and Safety Standards (24 CFR 3280 et. seq.) as amended and regulations issued pursuant thereof.

Upon submission to the City Clerk of the application, the City Clerk shall refer the application to the Building Inspector and/or Planning Commission for compliance with the City's zoning regulations and ordinances. If the permit is denied then the applicant may request a review of the application before the Board of Zoning Appeals. The mobile or manufactured home shall be established in accordance with said permit within six months, or the permit shall become invalid.

If after the approval of a mobile or manufactured home permit the mobile or manufactured home is removed from mobile or manufactured home space, then before a mobile manufactured home can be placed upon the same mobile or manufactured home space, a new application for a permit must be submitted to the City.

If a mobile home or manufactured home is destroyed by fire or elements normally referred to as Acts of God subsequent to the issuance of a mobile or manufactured home space permit for that mobile or manufactured home, then application shall be waived for the placement of another mobile or manufactured home upon the same space if the placement occurs within 180 days.

Each mobile or manufactured home space not within a mobile or manufactured home park shall be of a minimum, dimension of 150 feet in length and 50 feet in width and provide for a minimum distance of 8 feet between any part of the mobile or manufactured home and its appurtenances and any adjoining property

line except for the front property line which shall provide a minimum distance of 25 feet from the front property line. Each such mobile or manufactured home space shall further provide for adequate space to permit off street parking for at least two vehicles and all driveways and parking areas shall be surfaced with cement, asphalt or gravel of a minimum depth of 6 inches.

4. Mobile Homes and Trailers as Non-residential Structures:

One or more mobile or manufactured homes or trailers may be used without obtaining a permit as a temporary office or other non-residential structure on the site of a construction project, provided such structure is removed upon completion of the project. With approval of the plans by the City Council, mobile structures may also be used, without a permit, as temporary classroom facilities in connection with public schools, or private schools with equivalent curriculum. The City Council may require removal of such mobile or manufactured homes for cause within ten (10) days upon written notice.

5. Campers and House Trailers:

Campers and house trailers may be parked and occupied in a campground or trailer park provided that such campground or trailer park is in conformance with zoning and other ordinances of the City. Provided further, campers are permitted to be parked in areas other than campgrounds for storage purposes or occupied on a temporary basis in residential areas for a period not to exceed seven (7) days.

6. Prohibited Placement of Mobile or Manufactured Homes Campers and House Trailers:

Unless otherwise provided herein, the placement of mobile or manufactured homes, campers, or house trailers within the corporate limits of the City of Burlingame, Kansas, for residential or non-residential use is prohibited, except for purposes of sale by a licensed dealer.

7. Compliance with Zoning Retirements:

The location of a mobile or manufactured home park, campground, or subdivision or the placement of a mobile or manufactured home shall be limited to such areas within the City in compliance with existing zoning ordinances.

SECTION 10

ADDITIONAL HEIGHT AND AREA REGULATIONS

The district regulations hereinafter set forth in this section qualify or supplement, as the case may be, the district regulations appearing elsewhere in this Ordinance.

Public, semi-public or public service buildings, hospitals, institutions or schools, when permitted in a district, may be erected to a height not exceeding sixty (60) feet, and churches and temples may be erected to a height not exceeding seventy-five (75) feet if the building is set back from each yard line at least one (1) foot for each two (2) feet of additional building height above the height limit otherwise provided in the district in which the building is located.

Chimneys, cooling towers, elevator bulkheads, fire towers, grain elevators, monuments, stacks, stage towers or scenery lofts, tanks, water towers, ornamental towers, and spires, church steeples, wireless towers or necessary mechanical appurtenances, may be erected to a height in accordance with existing or hereafter adopted Ordinances of the City of Burlingame, Kansas.

Accessory buildings may be built in a rear yard but such accessory buildings shall not be nearer than two (2) feet to any side or rear lot line, except that when a garage is entered from an alley it shall not be located closer than ten (10) feet to the alley line.

No accessory building shall be constructed upon a lot until the construction of the main building has been actually commenced, and no accessory building shall be used for dwelling purposes, except by special permission for a limited time while construction of main building.

Every part of a required yard shall be open to the sky, unobstructed, except for accessory buildings in a rear yard, and except for the ordinary projections of sills, belt courses, cornices, and ornamental features projecting not to exceed twelve (12) inches.

Open or lattice-enclosed fire escapes, fireproof outside stairways, and balconies opening upon fire towers, and the ordinary projections of chimneys and flues into the rear yard may be permitted by the Building Inspector for a distance of not more than three and one half (3 1/2) feet and where the same are so placed as not to obstruct light and ventilation.

An open unenclosed porch or paved terrace may project into a front yard for a distance not exceeding ten (10) feet. Terraces, uncovered porches, platforms and ornamental features

which do not extend more than three (3) feet above the floor level of the ground (first) story may project into a required yard, provided these projections be distant at least two (2) feet from the adjacent side lot line.

For the purpose of the side yard regulations, a two-family dwelling, or a multiple-dwelling, shall be considered as one building occupying one lot.

Temporary buildings that are used in conjunction with construction work only may be permitted in any district during the period that the building is being constructed, but such temporary building shall be removed upon completion of the construction work.

Where a lot or tract is used for a nonresidential purpose, more than one main building may be located upon the lot or tract, but only when such buildings conform to all open space requirements around the lot for the district in which the lot or tract is located.

No side yards are required where dwelling units are erected above commercial and industrial structures. Buildings that are to be used for storage purposes only may exceed the maximum number of stories that are permitted in the district in which they are located, but such buildings shall not exceed the number of feet of building height permitted in such districts.

The front yards heretofore established shall be adjusted in the following cases:

1. Where forty (40) percent or more of the frontage on one side of a street between two intersecting streets is developed with buildings that have observed (with a variation of five feet or less) a front yard greater in depth than herein required, the new buildings shall not be erected closer to the street than the front yard so established by the existing buildings.
2. Where forty (40) percent or more of the frontage on one side of a street between two intersecting streets is developed with buildings that have not observed a front yard as described above, then:
 - (a) Where a building is to be erected on a parcel of land that is within one hundred (100) feet of existing buildings on both sides, the minimum front yard shall be a line drawn between the two closest front corners of the adjacent buildings on the two sides, or

- (b) Where a building is to be erected on a parcel of land that is within one hundred (100) feet of an existing building on one side only, such building may be erected as close to the street as the existing adjacent building.
- 3. Where a building cannot be erected as close to the street as is allowed by the district regulations because of the provisions of paragraphs 1 and 2 above, the City Council upon petition signed by at least one property owner in the block affected and after report upon the same by the City Planning Commission, may establish a front yard line for the block affected as close to the street as allowed by the district regulations for that block. .

Except as otherwise specifically provided for the City of Burlingame, Kansas, the following regulations shall apply to the construction of fences:

- 1. No fence of a height greater than three (3) feet, except wire fences and other fences in which the openings between the materials of which the fence is constructed represent more than seventy (70) percent of the total fence area, shall be constructed closer to the street than the front building line established for the district in which such fence is to be erected. Except in other yard areas it may exceed three (3) feet but not more than six and one-half (6 1/2) feet.
- 2. No fence shall be constructed which will constitute a traffic hazard and no permit shall be granted for the construction of a fence unless the City Building Inspector has certified such design as not to be hazardous or dangerous to persons or animals.
- 3. No person shall erect or maintain any fence which will adversely affect the public health, safety and welfare of adjacent property.
- 4. Fences constructed upon public or parochial school grounds or in public parks and in public playgrounds, may be constructed of a height greater than three (3) feet but less than six and one-half (6 1/2) feet; provided, however, that the Governing Body of the City of Burlingame, Kansas, may, by special permit, authorize the construction of a fence higher than six and one-half (6 1/2) feet, if the construction thereof has been recommended and approved by the City Planning Commission.
- 5. All fences shall conform to the provisions of the building code of the City of Burlingame, Kansas.

6. When in the Building Inspector's judgment, the public health, safety and welfare will be substantially served and the adjacent property will not be damaged, the Building Inspector may vary the requirements, with respect to the construction offences as provided for herein.
7. On a corner lot in any residential district, nothing shall be erected, placed, planted or allowed to grow in such a manner as materially to impede vision inside the defined vision clearance area (see definitions). The vision clearance area shall consist of a triangle bounded by the street lines of such corner lots and a line joining points fifty (50) feet from the point of the street centerline intersection.

RESOLUTION NO. 279

WHEREAS, the City Council has by Ordinance Nos. 1824 and 1990 adopted as part of the Code for the City of Burlingame, provisions for building and demolition permits and licensing requirements of various vocations and technicians; and

WHEREAS, the Code provides for fees to be set by the Governing Body for the various permits and licenses;

NOW, THEREFORE, BE IT RESOLVED that the following fees shall be assessed for the required permits and licenses pursuant to Chapter IV Buildings and Construction, Code of the City of Burlingame, Kansas:

Permit Fees:

Building permit:	3% of estimated project cost with maximum fee of \$150.00
Demolition permit:	\$30.00 per structure; proof of liability insurance if done by other than landowner Small accessory structures-No Charge
Electrical permit:	\$10.00
Plumbing permit:	\$10.00
Housemoving permit:	\$10.00 + Such fees as required by the Application

Annual License Fees:

Electrical license fee:	
First year	\$50.00
Renewal	\$25.00
Plumbing license fee:	
First year	\$50.00
Renewal	\$25.00
Fee for combining plumbing and electrical license:	
First year	\$75.00
Renewal	\$50.00

If the license is not renewed each year, then before a license is issued, the fee for an original license shall be charged.

The permit and license fees set by Resolution 272 are hereby repealed.

PASSED AND APPROVED this 21st day of July, 2003.

Raymond L. Hovestadt, Mayor

ATTEST

Cheryl D. Holloway, City Clerk